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Security Council

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Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Note verbale dated 14 July 2004 from the Permanent Mission of Austria to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Austria to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia and has the honour to provide the following information:

The States members of the European Union, including Austria, have implemented the restrictive measures against Somalia imposed by Security Council resolutions 733 (1992), 1356 (2001) and 1425 (2002) by enacting Council Common Position 2002/960/CFSP of 10 December 2002 concerning restrictive measures against Somalia and Council Regulation (EC) No. 147/2003 of 27 January 2003 concerning restrictive measures in respect of Somalia.*

Whereas European Council regulations are binding in their entirety and directly applicable in all States members of the European Union and, thus, do not require further implementation, the provisions of the above-mentioned Council Common Position endorsing the arms embargo have been implemented by national legislation.

As regards the arms embargo, the Austrian War Materials Act, the Austrian Foreign Trade Act and the Foreign Trade Act Regulation apply. According to these rules, no permission may be granted to export war materials, weapons etc. to countries that are subject to a United Nations or European Union arms embargo. Non-compliance with the War Materials Act or the Foreign Trade Act is, in principle, an administrative offence but may, under certain circumstances, also be regarded as a criminal offence to be punished with imprisonment of up to five years or payment of a fine of up to 360 daily rates.

* The European Union documents referred to are on file with the Secretariat, room S-3055, and are available for consultation.

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